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PRESIDENT'S MESSAGE.

Fellow-Citizens of the Senate and House of Representatives:

When we compare the condition of the country at the present day with what it was one year ago, at the meeting of Congress, we have much reason for gratitude to that Almighty Providence, which has never failed to interpose for our relief, at the most critical period of our history. One year ago, the sectional strife between the North and the South, on the dangerous subject of Slavery, had again become so intense as to threaten the peace and perpetuity of the confederacy. The application for the admission of Kansas as a State into the Union, fostered this unhappy agitation, and brought the whole subject once more before Congress. It was the desire of every patriot that such measures of legislation might be adopted as would remove the excitement from the States, and confine it to the Territory where it legitimately belonged. Much has been done, I am happy to say, towards the accomplishment of this object during the last session of Congress.

THE KANSAS QUESTION.

The Supreme Court of the United States had previously decided, that all American citizens have an equal right to take into the Territories whatever is held as property under the laws of any of the States, and to hold such property there under the guardianship of the Federal Constitution, so long as the Territorial condition shall remain.

This is now a well-established position, and the proceedings of the last session were alone wanting to give it practical effect. The principle has been recognized, in some form or other, by an almost unanimous vote of both Houses of Congress, that a Territory has a right to come into the Union either as a Free or a Slave State, according to the will of a majority of its people. The just equality of all the States has thus been vindicated, and a fruitful source of dangerous dissension among them has been removed.

Whilst such has been the beneficial tendency of your legislative proceedings outside of Kansas, their influence has been nowhere so happy as within that Territory itself. Left to manage and control its own affairs in its own way, without the pressure of external influence, the revolutionary Topeka organization, and all resistance to the Territorial Government established by Congress, have been finally abandoned. As a natural consequence, that fine Territory now appears to be tranquil and prosperous, and is attracting thousands of immigrants to make it their happy home.

The past unfortunate experience of Kansas has enforced the lesson so often already taught that, resistance to lawful authority, under our form of Government, cannot fail in the end to prove disastrous to its authors. Had the people of the Territory yielded obedience to the laws enacted by their Legislature, it would at the present moment have contained a large additional population of industrious and enterprising citizens, who have been deterred from entering its borders by the existence of civil strife and organized rebellion.

It was the resistance to rightful authority and the perseverating attempts to establish a revolutionary government under the Topeka Constitution, which caused the people of Kansas to commit the grave error of refusing to vote for Delegates to the Convention to frame a Constitution under a law not denied to be fair and just in its provisions. This refusal to vote has been the prolific source of all the evils which have followed. In their hostility to the Territorial Government they disregarded the principle, absolutely essential to the working of our form of Government, that a majority of those who vote—not the majority who may remain at home, from whatever cause—must decide the result of an election. For this reason, seeking to take advantage of their own error, they denied the authority of the convention thus elected to frame a constitution.

The convention, notwithstanding, proceeded to adopt a constitution unexceptionable in its general features, and providing for the submission of the slavery question to a vote of the people, which, in my opinion, they were bound to do under the Kansas and Nebraska act. This was the all-important question which had alone convulsed the Territory; and yet the opponents of the lawful government, persisting in their first error, refrained from exercising their right to vote, and preferred that slavery should continue rather than surrender their revolutionary Topeka organization.

A wiser and better spirit seemed to prevail before the first Monday of January last, when an election was held under the Constitution. A majority of the people then voted for a Governor and other State officers, for a member of Congress, and members of the State Legislature. This election was warmly contested by the two political parties in Kansas, and a greater vote was polled than at any previous election. A large majority of the members of the Legislature elect belonged to that party which had previously refused to vote. The Anti-Slavery party were thus placed in the ascendant, and the political power of the State was in their own hands. Had Congress admitted Kansas into the Union under the Lecompton Constitution, the Legislature might, at its very first session, have submitted the question to a vote of the people, whether they would or would not have a Convention to amend their Constitution, either on the Slavery or any other question, and have adopted all necessary means for giving speedy effect to the will of the majority. Thus the Kansas question would have been immediately and finally settled.

Under these circumstances, I submit to Congress the Constitution thus framed, with all the officers already elected necessary to put the State Government into operation, accompanied by a strong recommendation in favor of the admission of Kansas as a State. In the course of my long public life I have never performed any official act which, in the retrospect, has afforded me more gratifying satisfaction. This admission would have inflicted no possible injury on any human being, whilst it would, within a short period, have restored peace to Kansas and harmony to the Union. In that event, the Slavery question would ere this have been finally settled, according to the legally expressed will of a majority of the voters, and popular sovereignty would thus have been vindicated in a constitutional manner.

With my deep convictions of duty, I could have pursued no other course. It is true that, as an individual, I had expressed an opinion, both before and during the session of the Convention, in favor of submitting the remaining clauses of the constitution, as well as that concerning Slavery, to the people. But, acting in an official character, neither myself nor any human authority had the power to rejudge the proceedings of the Convention, and declare the constitution which it had framed to be a nullity. To have done this would have been a violation of the Kansas and Nebraska act, which left the people of the Territory perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States." It would equally have violated the great principle of popular sovereignty, at the foundation of our institutions, to deprive the people of the power, if they thought proper to exercise it, of confiding to delegates elected by themselves the trust of framing a Constitution, without requiring them to subject their constituents to the trouble, expense and delay of a second election. It would have been in opposition to many precedents in our history, commencing in the very best age of the republic, of the admission of Territories as States into the Union, without a previous vote of the people approving their Constitution.

It is to be lamented that a question so insignificant when viewed in its practical effects on the people of Kansas, whether decided one way or the other, should have kindled such a flame of excitement throughout the country. This reflection may prove to be a lesson of wisdom and of warning for our future guidance. Practically considered, the question is simply whether the people of that Territory should first come into the Union and then change any provision in their Constitution not agreeable to themselves, or accomplish the very same object by remaining out of the Union and framing another Constitution in accordance with their will. In either case the result would be precisely the same. The only difference in point of fact is, that the object would have been much sooner attained, and the pacification of Kansas more speedily effected, had it been admitted as a State during the last session of Congress.

My recommendation, however, for the immediate admission of Kansas, failed to meet the approbation of Congress. They deemed it wiser to adopt a different measure for the settlement of the question. For my own part, I should have been willing to yield my assent to almost any constitutional measure to accomplish this object. I, therefore, cordially acquiesced in what has been called the English Compromise, and approved the "Act for the admission of the State of Kansas into the Union," upon the terms therein prescribed."

Under the ordinance which accompanied the Lecompton Constitution, the people of Kansas had obtained double the quantity of public lands for the support of Common Schools, which had ever been previously granted to any State upon entering the Union; and also the alternate sections of land for twelve miles on each side of two railroads proposed to be constructed from the northern to the southern boundary, and from the eastern to western boundary of the State. Congress, deeming these claims unreasonable, provided, by the act of May 4, 1858, to which I have just referred, for the admission of the State on an equal footing with the original States, but "upon the fundamental condition precedent" that a majority of the people thereof, at an election to be held for that purpose, should, in place of the very large grants of public lands which they had demanded under the ordinance, accept such grants as had been made to Minnesota and other new States. Under this act, should a majority reject the proposition offered them, "it shall be deemed and held that the people of Kansas do not desire admission into the Union with said Constitution under the conditions set forth in said proposition." In that event the act authorizes the people of the Territory to elect delegates to form a Constitution and a State Government for themselves, "whenever, and not before, it is ascertained by a census, duly and legally taken, that the population of said Territory equals or exceeds the ratio of representation required for a member of the House of Representatives of the Congress of the United States." The delegates thus elected "shall first determine by a vote whether it is the wish of the people of the proposed State to be admitted into the Union at that time, and, if so, shall proceed to form a Constitution, and take all necessary steps for the establishment of a State Government in conformity with the Federal Constitution." After this Constitution shall have been formed, Congress, carrying out the principles of popular sovereignty and non-intervention, have left "the mode and manner of its approval or ratification by the people of the proposed State" to be "prescribed by law," and they "shall then be admitted into the Union as a State under such Constitution, thus fairly and legally made, with or without Slavery, as said Constitution may prescribe."

An election was held throughout Kansas, in pursuance of the provisions of this act, on the 2d day of August last, and it resulted in the rejection, by a large majority, of the proposition submitted to the people by Congress. This being the case, they are now authorized to form another Constitution, preparatory to admission into the Union, but not until their number, as ascertained by a census, shall equal or exceed the ratio required to elect a member to the House of Representatives.

It is not probable, in the present state of the case, that a third Constitution can be lawfully framed and presented to Congress by Kansas, before its population shall have reached the designated number. Nor is it to be presumed that, after their sad experience in resisting the Territorial laws, they will attempt to adopt the Constitution in express violation of the provisions of an act of Congress. During the session of 1856, much of the time of Congress was occupied on the question of admitting Kansas under the Topeka Constitution. Again, nearly the whole of the last session was devoted to the question of its admission under the Lecompton Constitution. Surely it is not unreasonable to require the people of Kansas to wait before making a third attempt, until the number of their inhabitants shall amount to ninety-three thousand four hundred and twenty. During this brief period, the harmony of the States, as well as the great business interests of the country, demand that the people of the Union shall not for a third time be convulsed by another agitation on the Kansas question. By waiting for a short time, and acting in obedience to law, Kansas will glide into the Union without the slightest impediment.

THE TERRITORIES AND NEW STATES.

This excellent provision, which Congress has applied to Kansas, ought to be extended and rendered applicable to all Territories which may hereafter seek admission into the Union.

Whilst Congress possesses the undoubted power of admitting a new State into the Union, however small may be the number of its inhabitants, yet this power ought not, in my opinion, to be exercised before the population shall amount to the ratio required by the act for the admission of Kansas. Had this been previously the rule, the country would have escaped all the evils and misfortunes to which it has been exposed by the Kansas question.

Of course, it would be unjust to give this rule a retrospective application, and exclude a State which, acting upon the past practice of the Government, has already formed its Constitution, elected its Legislature and other officers, and is now prepared to enter the Union.

The rule ought to be adopted, whether we consider its bearing on the people of the Territories or upon the people of the existing States. Many of the serious dissensions which have prevailed in Congress and throughout the country, would have been avoided had this rule been established at an earlier period of the Government.

Immediately upon the formation of a new Territory, people from different States and from foreign countries rush into it, for the laudable purpose of improving their condition. Their first duty themselves is to open and cultivate farms, to construct roads, to establish schools, to erect places of religious worship, and to devote their energies generally to reclaim the wilderness and to lay the foundations of a flourishing and prosperous commonwealth. If, in this incipient condition, with a population of a few thousand, they should prematurely enter the Union, they are oppressed by the burden of State taxation, and the means necessary for the improvement of the Territory and the advancement of their own interests, are thus diverted to very different purposes.

The Federal Government has ever been a liberal parent to the Territories, and a generous contributor to the useful enterprises of the early settlers. It has paid the expenses of their governments and legislative assemblies out of the common treasury, and thus relieved them from a heavy charge. Under these circumstances, nothing can be better calculated to retard their material progress than to divert them from their useful employment by prematurely exciting angry political contests among themselves, for the benefit of aspiring leaders. It is surely no hardship for embryo Governors, Senators and Members of Congress to wait until the number of inhabitants shall equal those of a single Congressional District. They surely ought not to be permitted to rush into the Union with a population less than one-half of several of the large counties in the interior of some of the States. This was the condition of Kansas when it made application to be admitted under the Topeka Constitution. Besides, it requires some time to render the mass of a population collected in a new Territory at all homogeneous, and to unite them on anything like a fixed policy. Establish the rule, and all will look forward to it and govern themselves accordingly.

But justice to the people of the several States requires that this rule should be established by Congress. Each State is entitled to two Senators and at least one Representative in Congress. Should the people of the States fail to elect a Vice-President, the power devolves upon the Senate to select this officer from the two highest candidates on the list. In case of the death of the President, the Vice-President thus elected by the Senate becomes President of the United States. On all questions of legislation, the Senators of the smallest States of the Union have an equal vote with those from the largest. The same may be said in regard to the ratification of treaties, and of Executive appointments. All this has worked admirably in practice, whilst it conforms in principle with the character of a Government instituted by sovereign States. I presume no American citizen would desire the slightest change in the arrangement. Still, is it not unjust and unequal to the existing States to invest some forty or fifty thousand people collected in a Territory with the attributes of sovereignty, and place them on an equal footing with Virginia and New-York in the Senate of the United States?

For these reasons I earnestly recommend the passage of a general act which shall provide that, upon the application of a Territorial Legislature, declaring their belief that the Territory contains a number of inhabitants which, if in a State, would entitle them to elect a Member of Congress, it shall be the duty of the President to cause a census of the inhabitants to be taken, and if found sufficient, then by the terms of this act to authorize them to proceed "in their own way" to frame a State Constitution preparatory to admission into the Union. I also recommend that an appropriation may be made to enable the President to take a census of the people of Kansas.

UTAH AFFAIRS.

The present condition of the Territory of Utah, when contrasted with what it was one year ago, is a subject for congratulation. It was then in a state of open rebellion, and, cost what it might, the character of the Government required that this rebellion should be suppressed and the Mormons compelled to yield obedience to the Constitution and the laws. In order to accomplish this object, as I informed you in my last annual message, I appointed a new Governor instead of BRIGHAM YOUNG, and other Federal officers to take the place of those who, consulting their personal safety, had found it necessary to withdraw from the Territory. To protect these civil officers, and to aid them, as a *posse comitatus*, in the execution of the laws in case of need, I ordered a detachment of the army to accompany them to Utah. The necessity for adopting these measures is now demonstrated.

On the 15th September, 1857, Governor YOUNG issued his proclamation, in the style of an independent sovereign, announcing his purpose to resist by force of arms the entry of the United States troops into our own Territory of Utah. By this he required all the forces in the Territory to "hold themselves in readiness to march at a moment's notice to repel any and all such invasion," and established martial law from its date throughout the Territory. These proved to be no idle threats. Forts Bridger and Supply were vacated and burnt down by the Mormons, to deprive our troops of a shelter after their long and fatiguing march. Orders were issued by DANIEL H. WELLS, styling himself "Lieutenant-General, Nauvoo Legion," to stampede the animals of the United States troops on their march, to set fire to their trains, to burn the grass and the whole country before them and on their flanks, to keep them from sleeping by night surprises, and to blockade the road by felling trees and destroying the fords of rivers, &c., &c.

These orders were promptly and effectually obeyed. On the 4th October, 1857, the Mormons captured and burned, on Green River, three of our supply trains, consisting of seventy-five wagons loaded with provisions and tents for the army, and drove away several hundred animals. This diminished the supply of provisions so materially that General JOHNSTON was obliged to reduce the ration, and even with this precaution there was only sufficient left to subsist the troops until the 1st of June.

Our little army behaved admirably in their encampment at Fort Bridger under these trying privations. In the midst of the mountains, in a dreary, unsettled and inhospitable region, more than a thousand miles from home, they passed the severe and inclement Winter without a murmur. They looked forward with confidence for relief from their country in due season, and in this they were not disappointed.

The Secretary of War employed all his energies to forward them the necessary supplies, and to muster and send such a military force to Utah as would render resistance on the part of the Mormons hopeless, and thus terminate the war without the effusion of blood. In his efforts he was efficiently sustained by Congress. They granted appropriations sufficient to cover the deficiency thus necessarily created, and also provided for raising two regiments of volunteers, "for the purpose of quelling disturbances in the Territory of Utah, for the protection of supply and emigrant trains, and the suppression of Indian hostilities on the frontiers." Happily, there was no occasion to call these regiments into service. If there had been, I should have felt serious embarrassment in selecting them, so great was the number of our brave and patriotic citizens anxious to serve their country in this distant and apparently dangerous expedition. Thus it has been, and thus may it ever be!

The whole wisdom and economy of sending sufficient reinforcements to Utah are established not only by the event, but in the opinion of those who, from their position and opportunities, are the most capable of forming a correct judgment. General JOHNSTON, the commander of the forces, in addressing the Secretary of War from Fort Bridger, under date Oct. 18, 1857, expresses the opinion that "unless a large force is sent here, from the nature of the country, a protracted war on their (the Mormons) part is inevitable." This he considers necessary, to terminate the war speedily and more economically than if attempted by insufficient means."

In the meantime it was my anxious desire that the Mormons should yield obedience to the Constitution and the laws, without rendering it necessary to resort to military force. To aid in accomplishing this object, I deemed it advisable in April last to dispatch two distinguished citizens of the United States, Messrs. POWELL and MCCULLOCH, to Utah. They bore with them a proclamation addressed by myself to the inhabitants of Utah, dated on the 6th day of that month, warning them of their true condition, and how hopeless it was on their part to persist in rebellion against the United States, and offering all those who should submit to the laws a full pardon for their past seditions and treasons. At the same time, I assured those who should persist in rebellion against the United States, that they must expect no further lenity, but look to be rigorously dealt with according to their deserts. The instructions to these agents, as well as a copy of the proclamation, and their reports, are herewith submitted. It will be seen by their report of the 3d of July last, that they have fully confirmed the opinion expressed by General JOHNSTON in the previous October, as to the necessity of sending reinforcements to Utah. In this they state that they "are firmly impressed with the belief that the presence of the army here and the large additional force that had been ordered to this Territory, were the chief inducements that caused the Mormons to abandon the idea of resisting the authority of the United States. A less decisive policy would probably have resulted in a long, bloody and expensive war."

These gentlemen conducted themselves to my entire satisfaction, and rendered useful services in executing the humane intentions of the Government.

It also affords me great satisfaction to state, that Governor CUMMING has performed his duty in an able and conciliatory manner, and with the happiest effect. I cannot, in this connection, refrain from mentioning the valuable services of Col. THOMAS L. KANE, who, from motives of pure benevolence, and without any official character or pecuniary compensation, visited Utah during the last inclement Winter, for the purpose of contributing to the pacification of the Territory.

I am happy to inform you, that the Governor and other civil officers of Utah, are now performing their appropriate functions without resistance. The authority of the Constitution and the laws has been fully restored, and peace prevails throughout the Territory.

A portion of the troops sent to Utah are now encamped in Cedar Valley, forty-four miles southwest of Salt Lake City; and the remainder have been ordered to Oregon to suppress Indian hostilities.

The march of the army to Salt Lake City, through the Indian Territory, has had a powerful effect in restraining the hostile feelings against the United States, which existed among the Indians in that region, and in securing emigrants to the Far West against their depredations. This will also be the means of establishing military posts and promoting settlements along the route.

I recommend that the benefits of our land laws and preemption system be extended to the people of Utah, by the establishment of a land office in that Territory.

I have occasion, also, to congratulate you on the result of our negotiations with China.

OUR CHINESE TREATY.

You were informed by my last annual message, that our Minister had been instructed to occupy a neutral position in the hostilities conducted by Great Britain and France against Canton. He was, however, at the same time directed to cooperate cordially with the British and French Ministers, in all peaceful measures, to secure by treaty those just concessions to foreign commerce, which the nations of the world had a right to demand. It was impossible for me to proceed further than this on my own authority, without usurping the war-making power, which, under the Constitution, belongs exclusively to Congress.

Besides, after a careful examination of the nature and extent of our grievances, I did not believe they were of such a pressing and aggravated character, as would have justified Congress in declaring war against the Chinese Empire, without first making another earnest attempt to adjust them by peaceful negotiation. I was the more inclined to this opinion, because of the severe chastisement which had then but recently been inflicted upon the Chinese by our squadron, in the capture and destruction of the Barrier forts, to avenge an alleged insult to our flag.

The event has proved the wisdom of our neutrality. Our Minister has executed his instruction with eminent skill and ability. In conjunction with the Russian plenipotentiary, he has peacefully, but effectually cooperated with the English and French plenipotentiaries; and each of the four Powers has concluded a separate treaty with China, of a highly satisfactory character. The treaty concluded by our own plenipotentiary will immediately be submitted to the Senate.

JAPAN.

I am happy to announce that, through the energetic yet conciliatory efforts of our Consul-General in Japan, a new treaty has been concluded with that Empire, which may be expected materially to augment our trade and intercourse in the ports and rivers from our countrymen the disabilities which have heretofore been imposed upon the exercise of their religion. The treaty shall be submitted to the Senate for approval without delay.

OUR RELATIONS WITH GREAT BRITAIN.

It is my earnest desire that every misunderstanding with the Government of Great Britain should be amicably and speedily adjusted. It has been the misfortune of both countries, almost ever since the period of the Revolution, to have been annoyed by a succession of irritating and dangerous questions, threatening their friendly relations. This has partially prevented the full development of those feelings of mutual friendship between the people of the two countries, so natural in themselves, and so conducive to their common interest. Any serious interruption of the commerce between the United States and Great Britain would be equally injurious to both. In fact, no two nations have ever existed on the face of the earth, which could do each other so much good or so much harm.

Entertaining these sentiments, I am gratified to inform you that the long-pending controversy between the two Governments, in relation to the question of visitation and search, has been amicably adjusted. The claim on the part of Great Britain, forcibly to visit American vessels on the high seas in time of peace, could not be sustained under the law of nations, and it had been overruled by her own most eminent jurists. This question was recently brought to an issue by the repeated acts of British cruisers in boarding and searching our merchant vessels in the Gulf of Mexico and the adjacent seas. These acts were the more injurious and annoying as these waters are traversed by a large portion of the commerce and navigation of the United States, and their free and unrestricted use is essential to the security of the coastwise trade between different States of the Union. Such vexatious interruptions could not fail to excite the feelings of the country, and to require the interposition of the Government. Remonstrances were addressed to the British Government against these violations of our rights of sovereignty, and a naval force was at the same time ordered to the Cuban waters, with directions "to protect all vessels of the United States on the high seas from search or detention by the vessels of war of any other nation." These measures received the unqualified and even enthusiastic approbation of the American people. Most fortunately, however, no collision took place, and the British Government promptly avowed its recognition of the principles of international law upon this subject, as laid down by the Government of the United States in the note of the Secretary of State to the British Minister at Washington, of April 10, 1858, which secure the vessels of the United States upon the high seas from visitation or search in time of peace, under any circumstances whatever. The claim has been abandoned in a manner reflecting honor on the British Government, and evincing a just regard for the law of nations, and cannot fail to strengthen the amicable relations between the two countries.

The British Government, at the same time, proposed to the United States that some mode should be adopted, by mutual arrangement between the two countries, of a character which may be found effective without being offensive, for verifying the nationality of vessels suspected on good grounds of carrying false colors. They have also invited the United States to take the initiative, and propose measures for this purpose. Whilst declining to assume so grave a responsibility, the Secretary of State has informed the British Government that we are ready to receive any proposals which they may feel disposed to offer, having this object in view, and to consider them in an amicable spirit. A strong opinion is, however, expressed, that the occasional abuse of the flag of any nation is an evil far less to be deprecated than would be the establishment of any regulations which might be incompatible with the freedom of the seas. This Government has yet received no communication specifying the manner in which the British Government would propose to carry out their suggestion; and I am inclined to believe that no plan which can be devised will be free from grave embarrassments. Still I shall form no decided opinion on the subject until I shall have carefully and in the best spirit examined any proposals which they may think proper to make.

I am truly sorry that I cannot also inform you that the complications between Great Britain and the United States, arising out of the Clayton and Bulwer Treaty of April, 1850, have been finally adjusted.

At the commencement of your last session, I had reason to hope that, emancipating themselves from further unavailing discussions, the two Governments would proceed to settle the Central American question in a practical manner, alike honorable and satisfactory to both; and this hope I have not yet abandoned. In my last annual message, I stated that overtures had been made by the British Government for this purpose, in a friendly spirit, which I cordially reciprocated. Their proposal was, to withdraw these questions from direct negotiation between the two Governments; but to accomplish the same object, by a negotiation between the British Government and each of the Central American Republics whose territorial interests are immediately involved. The settlement was to be made in accordance with the general tenor of the interpretation placed upon the Clayton and Bulwer treaty by the United States, with certain modifications. As negotiations are still pending upon this basis, it would not be proper for me now to communicate their present condition. A final settlement of these questions is greatly to be desired, as this would wipe out the last remaining subject of dispute between the two countries.

Our relations with the great empires of France and Russia, as well as with all other Governments on the Continent of Europe, except that of Spain, continue to be of the most friendly character.

OUR RELATIONS WITH SPAIN.

With Spain our relations remain in an unsatisfactory condition. In my message of December last, I informed you that our Envoy Extraordinary and Minister Plenipotentiary to Madrid had asked for his recall; and it was my purpose to send out a new Minister to that Court, with special instructions on all questions pending between the two Governments, and with a determination to have them speedily and amicably adjusted, if that were possible. This purpose has been hitherto defeated by causes which I need not enumerate.

The mission to Spain has been intrusted to a distinguished citizen of Kentucky, who will proceed to Madrid without delay, and make another and a final attempt to obtain justice from that Government.

Spanish officials, under the direct control of the Captain-General of Cuba, have insulted our national flag, and, in repeated instances, have from time to time inflicted injuries on persons and property of our citizens. These have given birth to numerous claims against the Spanish Government, the merits of which have been ably discussed for a series of years, by our successive diplomatic representatives. Notwithstanding this, we have not arrived at a practical result in any single instance, unless we may except the case of the *Black Warrior*, under the late administration; and that presented an outrage of such a character as would have justified an immediate resort to war. All our attempts to obtain redress have been baffled and defeated. The frequent and oft-recurring changes in the Spanish ministry have been employed as reasons for delay. We have been compelled to wait again and again, until the new minister shall have had time to investigate the justice of our demands.

Even what have been denominated "the Cuban claims," in which more than a hundred of our citizens are directly interested, have furnished no exception. Spain claims that, as long ago as the year 1644, the right of search was established over American vessels, as different Commissioners appointed by the two countries have decided. The principle upon which they rest are so manifestly equitable and just, that after a period of nearly ten years, in 1854, they were recognized by the Spanish Government. Proceedings were afterwards instituted to ascertain their amount, and this was finally fixed according to their own statement, (with which we are satisfied,) at the sum of one hundred and twenty-eight thousand six hundred and thirty-five dollars and fifty-four cents. Just at the moment, after a delay of fourteen years, when we had reason to expect that this sum would be repaid with interest, we have received a proposal offering to refund one-third of that amount, (forty-two thousand eight hundred and seventy-eight dollars and forty-one cents,) but without interest, if we would accept this in full satisfaction. The offer is, also, accompanied by a declaration that this indemnification is not founded on any reason of strict justice, but is made as a special favor.

One alleged cause for procrastination in the examination and adjustment of our claims arises from an obstacle which it is the duty of the Spanish Government to remove. Whilst the Captain-General of Cuba is invested with general despotic authority in the government of that Island, the power is withheld from him to examine and redress wrongs committed by officials under his control, on citizens of the United States. Instead of making our complaints directly to him at Havana we are obliged to present them through our Minister at Madrid. These are then referred back to the Captain General for information; and much time is thus consumed in preliminary investigations and correspondence between Madrid and Cuba, before the Spanish Government will consent to proceed to negotiation. Many of the difficulties between the two Governments would be obviated, and a long train of negotiation avoided, if the Captain-General were invested with authority to settle questions of easy solution on the spot, where all the facts are fresh and could be promptly and satisfactorily ascertained. We have hitherto in vain urged upon the Spanish Government to confer this power upon the Captain-General, and our Minister to Spain will again be instructed to urge this subject on their notice. In this respect we occupy a different position from the Powers of Europe. Cuba is almost within sight of our shores; our commerce with it is far greater than that of any other nation, including Spain itself, and our citizens are in habits of daily and extended personal intercourse with every part of the Island. It is, therefore, a great grievance that, when any difficulty occurs, no matter how unimportant, which might be readily settled at the moment, we should be obliged to resort to Madrid, especially when the very first step to be taken there is to refer it back to Cuba.

The truth is, that Cuba, in its existing colonial condition, is a constant source of injury and annoyance to the American people. It is the only spot in the civilized world where the African Slave-trade is tolerated; and we are bound by treaty with Great Britain to maintain a naval force on the coast of Africa, at much expense both of life and treasure, solely for the purpose of arresting slavers bound to that Island. Serious and difficult questions between the United States and Great Britain respecting the right of search, now so happily terminated, could never have arisen if Cuba had not afforded a market for slaves. As long as this market shall remain open, there can be no hope for the civilization of benighted Africa. While the demand for slaves continues in Cuba, wars will be stirred up among the petty and barbarous chiefs in Africa, for the purpose of seizing subjects to supply this trade. In such a condition of affairs, it is impossible that the light of civilization and religion can ever penetrate these dark abodes.

It has been made known to the world by my predecessors, that the United States have, on several occasions, endeavored to acquire Cuba from Spain by honorable negotiation. If this were accomplished, the last relic of the African Slave-trade would instantly disappear. We would not, if we could, acquire Cuba in any other manner. This is due to our national character. All the territory which we have acquired since the origin of the Government has been by fair purchase, from France, Spain and Mexico, or by the free and voluntary act of the independent State of Texas, in blending her destinies with our own. This course we shall ever pursue, unless circumstances should occur, which we do not now anticipate, rendering a departure from it clearly justifiable, under the imperative and overruling law of self-preservation.

The island of Cuba, from its geographical position, commands the mouth of the Mississippi, and its immense and annually increasing trade, foreign and coastwise, from the valley of that noble river, now embracing half the sovereign States of the Union. With that island under the dominion of a distant foreign power, this trade, of vital importance to these States, is exposed to the danger of being destroyed in time of war, and it has hitherto been subjected to perpetual injury and annoyance in time of peace. Our relations with Spain, which ought to be of the most friendly character, must always be placed in jeopardy, whilst the existing Colonial Government over the island shall remain in its present condition.

Whilst the possession of the island would be of vast importance to the United States, its value to Spain is, comparatively, unimportant. Such was the relative situation of the parties, when the great NAPOLEON transferred Louisiana to the United States. Jealous, as he ever was, of the national honor and interests of France, no person throughout the world has imputed blame to him, for accepting a pecuniary equivalent for this cession.

The publicity which has been given to our former negotiations upon this subject, and the large appropriation which may be required to effect the purpose, render it expedient, before making another attempt to renew the negotiation, that I should lay the whole subject before Congress. This is especially necessary, as it may become indispensable to success that I should be intrusted with the means of making an advance to the Spanish Government immediately after the signing of the treaty, without awaiting the ratification of it by the Senate. I am encouraged to make this suggestion by example of Mr. JEFFERSON, previous to the purchase of Louisiana from France, and by that of Mr. POLK, in view of the acquisition of Territory from Mexico. I refer the whole subject to Congress, and commend it to their careful consideration.

I repeat the recommendation made in my message of December last, in favor of an appropriation "to be paid to the Spanish Government for the purpose of distribution among the claimants in the Amistad case." President POLK first made a similar recommendation in December, 1847, and it was repeated by my immediate predecessor in December, 1853. I certain no doubt that indemnity is fairly due to these claimants under our treaty with Spain of the 27th October, 1795; and whilst demanding justice, we ought to do justice. An appropriation promptly made for this purpose could not fail to exert a favorable influence on our negotiations with Spain.

OUR RELATIONS WITH MEXICO.

Our position in relation to the independent States south of us on this Continent, and especially those within the limits of North America, is of a peculiar character. The northern boundary of Mexico is coincident with our own southern boundary from ocean to ocean; and we must necessarily feel a deep interest in all that concerns the well-being and the fate of so near a neighbor. We have always cherished the kindest wishes for the success of that republic, and have indulged the hope that it might at last, after all its trials, enjoy peace and prosperity under a free and stable Government. We have never hitherto interfered directly or indirectly, with its internal affairs, and it is a duty which we owe to ourselves to protect the integrity of its territory, against the hostile interference of any other power. Our geographical position, our direct interest in all that concerns Mexico, and our well-settled policy in regard to the North American Continent, render this an indispensable duty.

Mexico has been in a state of constant revolution almost ever since it achieved its independence. One military leader after another has usurped the Government in rapid succession, and the various Constitutions from time to time adopted have been set at nought almost as soon as they were proclaimed. The successive Governments have afforded no adequate protection, either to Mexican citizens or foreign residents, against lawless violence. Heretofore, a seizure of the capital by a military chieftain has been generally followed by at least the nominal submission of the country to his rule for a brief period, but not so in the present crisis of Mexican affairs. A civil war has been raging for some time throughout the Republic, between the Central Government at the city of Mexico, which has endeavored to subvert the Constitution last framed by military power, and those who maintain the authority of that Constitution. The antagonist parties each hold possession of different States of the Republic, and the fortunes of war are constantly changing. Meanwhile, the most reprehensible means have been employed by both parties to extort money from foreigners, as well as natives, to carry on this ruinous contest. The truth is, that this fine country, blessed with a productive soil and a benign climate, has been reduced by civil dissension to a condition of almost hopeless anarchy and imbecility. It would be in vain for this Government to attempt to enforce payment in money of the claims of American citizens, now amounting to more than ten million dollars, against Mexico, because she is destitute of all pecuniary means to satisfy these demands.

Our late Minister was furnished with ample powers and instructions for the adjustment of all pending questions with the central government of Mexico, and he performed his duty with zeal and ability. The claims of our citizens, some of them arising out of the violation of an express provision of the treaty of Guadelupe Hidalgo, and others from gross injuries to persons as well as property, have remained unredressed and even unnoticed. Remonstrance against these grievances have been addressed without effect to that Government. Meantime, in various parts of the Republic, instances have been numerous of the murder, imprisonment and plunder of our citizens by the different parties claiming and exercising a local jurisdiction; but the central Government, although repeatedly urged thereto, have made no effort either to punish the authors of these outrages or to prevent their recurrence. No American citizen can now visit Mexico on lawful business without imminent danger to his person and property. There is no adequate protection to either; and in this respect our treaty with that Republic is almost a dead letter.

This state of affairs was brought to a crisis in May last by the promulgation of a decree levying a contribution *pro rata* upon all the capital in the Republic, between certain specified amounts, whether held by Mexicans or foreigners. Mr. FORSYTH, regarding this decree in the light of a "forced loan," formally protested against its application to his countrymen, and advised them not to pay the contribution. But to suffer it to be forcibly exacted, without action upon this protest, as he had been instructed to do by his predecessor, in case the decree should be carried into execution, he would feel it to be his duty to adopt "the most decided measures that belong to the powers and obligations of the representative office." Notwithstanding this warning, the banishment was enforced, and Mr. FORSYTH promptly announced to the Government the suspension of the political relations of his legation with them, until the pleasure of his own Government should be ascertained.

This Government did not regard the contribution imposed by the decree of the 15th of May last to be in strictness a "forced loan," and as such prohibited by the tenth article of the treaty of 1826 between Great Britain and Mexico, to the benefits of which American citizens are entitled by treaty; yet the imposition of the contribution upon foreigners was considered an unjust and oppressive measure. Besides, internal factions in other parts of the republic were at the same time levying similar exactions upon the property of our citizens, and interrupting their commerce. There had been an entire failure on the part of our Minister to secure redress for the wrongs our citizens had endured, notwithstanding his persevering efforts. And from the temper manifested by the Mexican Government, he had repeatedly assured us that no favorable change could be expected until the United States should "give striking evidence of their will and power to protect their citizens," and that "severe chastening is the only earthly remedy for our grievances." From this statement of facts it would have been worse than idle to direct Mr. FORSYTH to retrace his steps and resume diplomatic relations with that Government; and it was, therefore, deemed proper to sanction his withdrawal of the legation from the city of Mexico.

Abundant cause now undoubtedly exists for a resort to hostilities against the Government still holding possession of the capital. Should they succeed in subduing the Constitutional forces, all reasonable hope will then have expired of a peaceful settlement of our difficulties.

On the other hand, should the Constitutional party prevail, and their authority be established over the republic, there is reason to hope that they will be animated by a less unfriendly spirit, and may grant that redress to American citizens which justice requires, so far as they may possess the means. But for this expectation, I should at once have recommended to Congress to grant the necessary power to the President to take possession of a sufficient portion of the remote and unsettled territory of Mexico, to be held in pledge until our injuries shall be redressed and our just demands be satisfied. We have already exhausted every milder means of obtaining justice. In such a case, this remedy of reprisals is recognized by the law of nations, not only as just to itself, but as a means of preventing actual war.

But there is another view of our relations with Mexico, arising from the unhappy condition of affairs along our Southwestern frontier, which demands immediate action. In that remote region, where there are but few white inhabitants, large bands of hostile and predatory Indians roam almost entirely over the Mexican States of Chihuahua and Sonora, and our adjoining Territories. The local Governments of these States are perfectly helpless, and are kept in a state of constant alarm by the Indians. They have not the power, if they possessed the will, even to restrain lawless Mexicans from passing the border and committing depredations on our remote settlers. A state of anarchy and violence prevails throughout that distant frontier. The laws are a dead letter, and life and property are wholly insecure. For example, the settlement of Arizona is arrested, whilst it is of great importance that a chain of inhabitants should extend all along its southern border, sufficient for their own protection and that of the United States mail passing to and from California. Well-founded apprehensions are now entertained, that the Indians, and wandering Mexicans equally lawless, may break up the important stage and postal communication recently established between our Atlantic and Pacific possessions. This passes very near to the Mexican boundary, throughout the whole length of Arizona. I can imagine no possible remedy for these evils, and no mode of restoring law and order on that remote and unsettled frontier, but for the Government of the United States to assume a temporary protectorate over the northern portions of Chihuahua and Sonora, and to establish military posts within the same; and this is earnestly recommended to Congress. This protection may be withdrawn, as soon as local Government shall be established in these Mexican States, capable of performing their duties to the United States, restraining the lawless and preserving peace along the border.

I do not doubt that this measure will be viewed in a friendly spirit by the Governments and people of Chihuahua and Sonora, as it will prove equally effectual for the protection of their citizens on that remote and lawless frontier, as for citizens of the United States.

ARIZONA.

And in this connection permit me to recall your attention to the condition of Arizona. The population of that Territory, numbering, as is alleged, more than ten thousand souls, are practically without a Government, without laws, and without any regular administration of justice. Murder and other crimes are committed with impunity. This state of things calls loudly for redress; and I, therefore, repeat my recommendation for the establishment of a Territorial Government over Arizona.

ISTHMUS AFFAIRS—THE SEVERAL ROUTES FOR TRANSIT ACROSS IT.

The political condition of the narrow Isthmus of Central America through which transit routes pass, between the Atlantic and Pacific Oceans, presents a subject of deep interest to all commercial nations. It is over these transits that a large proportion of the trade and travel between the European and Asiatic continents is destined to

REPORTS OF DEPARTMENTS.

WASHINGTON CITY, Dec. 6, 1858.

TO THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE OF REPRESENTATIVES:

In pursuance of the requirements of the law, I have the honor to transmit herewith the reports of the several Executive Departments, and of the Secretary of the Smithsonian Institution, with the accompanying documents.

JAMES BUCHANAN.

Department of the Interior.

The Report of the Secretary of the Interior opens with a general view of the condition of the Public Lands. The statistical information contained in this part of the Report is given in the Report of the Commissioner of the General Land Office, published in another column of this paper. The Secretary congratulates the country upon the increasing prosperity of the Territories, and the rapid settlement of the public lands during the past year. The following is a statement of the quantity of land disposed of during the last fiscal year, and the receipts therefrom:

	Acres.	Dollars.
Cash entries	1,201,942.39	1,502,427.99
Entries with warrants

AMUSEMENTS.

ACADEMY OF MUSIC.

ACADEMY OF MUSIC—EVENING.

ACADEMY OF MUSIC—MATINEE.

ACADEMY OF MUSIC—MATINEE TO-MORROW.

ACADEMY OF MUSIC—TO-MORROW EVENING.

ADELPHI THEATRE—THIS EVENING.

ADELPHI THEATRE—MATINEE TO-MORROW.

ADELPHI THEATRE—TO-MORROW EVENING.

ALHAMBRA—THIS AFTERNOON AND EVENING.

ALHAMBRA—TO-MORROW AFTERNOON AND EVENING.

AMERICAN MUSEUM—DAY AND EVENING.

BARNUM'S MUSEUM—SECOND WEEK AND TRIUMPH OF THE MARVELLOUS.

BARNUM'S MUSEUM—TO-MORROW AFTERNOON AND EVENING.

BOOTH'S THEATRE—THIS EVENING.

BOOTH'S THEATRE—MATINEE TO-MORROW.

BOOTH'S THEATRE—TO-MORROW EVENING.

BROOKLYN ACADEMY OF MUSIC—THIS EVENING.

BROOKLYN ACADEMY OF MUSIC—TO-MORROW EVENING.

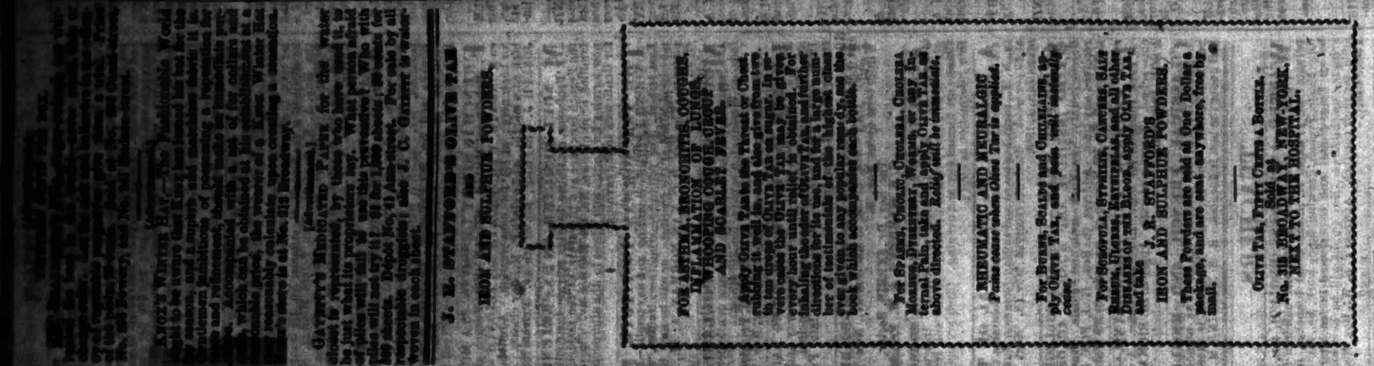
BROOKLYN ACADEMY OF MUSIC—MATINEE TO-MORROW.

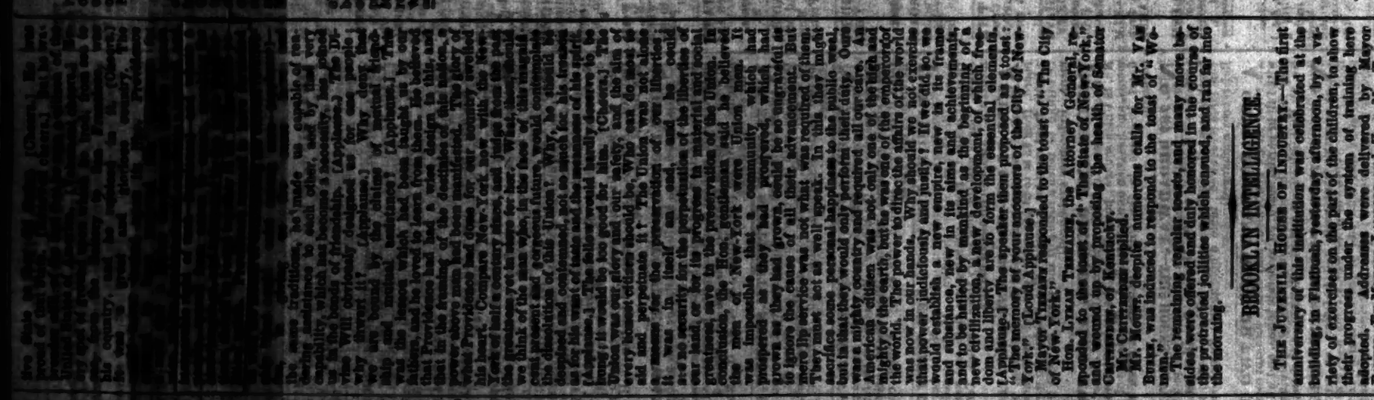
BROOKLYN ATHENÆUM—THIS EVENING.

BROOKLYN ATHENÆUM—TO-MORROW EVENING.

BROOKLYN ATHENÆUM

The New-York Times, Sunday, December 7, 1862





HELP WANTED.

WANTED—A CLERK IN A LAW OFFICE. HIS duties will include the delivery of papers, &c. Apply at 32 Nassau-st.

WANTED—A GOVERNESS (ENGLISH, &c.) to take entire charge of children; must be competent to instruct; children are 4 years old. Address M. P., box 1,241 Herald Office.

WANTED—A LADY WHO HAS HAD THE best experience as an instructress of children, desires a position in a family; would be willing to travel with them in a family; where she will be willing to assist in the care of children and take the general supervision of the house if desired. Address A. B., box 1,241 Herald Office.

INSTRUCTION.—A LADY WHO HAS HAD THE best experience as an instructress of children, desires a position in a family; where she will be willing to assist in the care of children and take the general supervision of the house if desired. Address A. B., box 1,241 Herald Office.

WANTED—A FRENCH GENTLEMAN TO TEACH French, German and Spanish. Address, with terms, Box 1,241 Herald Office.

WANTED—A BOOK OF BUTTS OF HOUSE lots in 34th and 35th-sts., between 8th and 9th-aves. Address, with terms, Box 1,241 Herald Office.

WANTED—A GOOD SECOND HAND PIANO; must be cheap for cash. Address, stating price

LEGAL NOTICES.

SUPREME COURT—COUNTY OF QUEENS—
JOHN BRADLEY, Plaintiff, against BENJAMIN A. ATAKA DANIEL F. KISSAM and FANNY ANANDA KISSAM, his wife, and BENJAMIN KISSAM, Defendants.

YOU are hereby summoned and required to answer the complaint in this action, which was filed in the office of the Clerk of the County of Queens, at Jamaica, in said County, and to serve a copy of your answer to the said complaint on the subscriber, at his office, No. 49 Wall-st., in the City of New-York, and State aforesaid, within twenty days after the service hereof, exclusive of the day of such service; and if you fail to answer the said complaint within the time aforesaid, the plaintiff in this action will apply to the Court for the relief demanded in the complaint.

Dated October 1, 1866.

LEWIS & KERR, Plaintiff's Attorneys.

No. 49 Wall-st, New-York.

SUPREME COURT—ALEXANDER DUNCAN and CHARLES H. DARNEY against HENRY STEGEMANN and EDWARD STEGEMANN—To HENRY STEGEMANN and EDWARD STEGEMANN, defendants.

(Summons for money demanded on contract.)

BANNE—Sir: You are hereby summoned to answer the complaint in this action, and to serve a copy of your answer on the subscriber at his office, No. 9 Nassau-street, in the City of New-York, within twenty days after the service hereof, exclusive of the day of such service; and if you fail to answer the complaint as aforesaid, the plaintiff will take judgment against you for the sum of $1,000 and interest from October 1, 1866, besides the costs of this action.

Dated October 1, 1866.

Yours, &c.,

WM. H. DUNCAN, No. 9 Nassau-street, New-York.

IN PURSUANCE OF AN ORDER OF THE Surrogate of the County of New-York, made on the 25th day of September, 1866, notice is hereby given to all persons having claims against WILLIAM C. FOWLER, late of the City of New-York, deceased, to present the same with vouchers thereof to the subscribers, at their office, No. 61 Broad-st., in the City of New-York, on or before the 25th day of November, 1866.

Dated the 25th day of May next.

GEORGE C. GRUBBY, Administrators.

ELIZABETH A. HUNT, } Administrators.
WILLIAM PARMENTER, }

Dated June 1, 1866.

PROFESSIONAL.

CANCERS REMOVED AND PERMANENTLY CURED. DR. WHITNEY, No. 14 East 16th-st.

TO SEAMSTRESS AND DRESSMAKERS IN GRAIN.

AMERICAN GUANO.

STEAMBOATS.

FOR NEW-HAVEN, FARE ONE DOLLAR.

THE NEW AND ELEGANT PASSENGER STEAMER C. VANDERBILT, Capt. J. H. LOVETT, will leave Pier No. 4 North River, foot of Murray-st., at 5 P. M., and Pier No. 1 East River, foot of Peck-slip, at 5:30 P. M., daily, (Sundays excepted), for NEW-HAVEN, connecting with Express Trains for Hartford, Springfield, Boston, Albany, Troy, Saratoga, Niagara Falls, Canada, Montreal, Burlington, Lake Champlain, Lake George, Utica, Rochester, Buffalo, Cleveland, Detroit, Chicago, Milwaukee, St. Paul, and all points West and Northwest. Through tickets and baggage checked to all points. Fare only $1. Freight taken low. Office, No. 3 Astor House, and on board the boat.

FOR NEW-HAVEN, CONNECTING WITH THE NEW-YORK AND NEW-HAVEN RAILROAD TRAINS FOR BOSTON, THE EAST AND NORTH.—The new and elegant steamer ADELAIDE, Capt. J. H. CROWELL, will leave Pier No. 1 North River, foot of Cortlandt-st., at 5 P. M., and Pier No. 1 East River, foot of Peck-slip, at 5:30 P. M., daily, (Sundays excepted).

LAW REPORTS.

COURT CALENDAR—This day.

The annual Charter election occurring to-day, no Court will be in session.

Common Pleas—Part 1—Nos. 1007, 1026, 1062, 1067, 1068, 705, 2003, 2005, 2004, 2006, 2007, 2008, 2009, 2010.

Supreme Court—Special Term.—Demurrers—Nos. 21, 22, 23, 24, 25, 26, 28, 29. Law and Justice—Nos. 41, 42, 43, 44, 45, 46, 47, 48, 51, 52, 53.

Superior Court.—Nos. 16, 24, 5, 647, 648, 652, 672, 647, 705, 716, 715, 727, 737, 745, 720, 347, 156, 158, 422, 433½, 310, 307, 378, 171, 433.

SUPREME COURT—Circuit.

Before Judge Ingraham.

In re The People vs. Michael Cosgrove.—Yesterday the Court-room and all the approaches thereto were crowded to repletion, not less than one thousand persons being in attendance, and a number of persons, of course, as witnesses and spectators. The District-Attorney, the Attorney-General and the Hon. John McKeon appeared for the prosecution, and Messrs. Ashmead and Blankman for the prisoner. Mr. Blankman asked to have the proceedings postponed until Wednesday, in order to afford time for further consultation with the prisoner. Counsel felt the prosecution should know that the trial could not be commenced on the day, as to-morrow would be the excellent, and the Courts would not sit; but would suggest that if there were any other day more convenient, such would be agreed to by counsel. Mr. Bleakley said the whole matter had been fully considered by counsel for the defence, and that they were not prepared to go on with the case. He (Mr. A.) knew that the prosecution were clamorous for blood in this case, and what he asked from the discretion of the Court he would not accept as a concession from the District-Attorney.

Judge Ingraham said it would be well for counsel to take care to banish from any personal remarks.

Mr. McKeon said the charge of "clamoring for blood" did not affect him, and for his part, he had been too much accustomed to such accusations against prosecutors to pay any attention to them.

The Court ordered the case to stand for Wednesday. The calling of the panel of petit jurors was commenced this week, and a large proportion of the panel attended.

Michael Cosgrove was present in Court, looked well in health, and as well-dressed and indifferent as at any other of the three trials for the murder of Policeman Anderson.

DEMURRER.

Chas. H. Miller vs. Edmund Banks—Motion denied; costs to abide event.

Same vs. Same—Motion denied.

Before the Hon. Judge Ingraham.

One thousand jurors were summoned for the fourth trial of Cosgrove, in this Court yesterday; but, in view of election-day, all proceedings were postponed till to-morrow, (Wednesday,) when the impanelling of jurors will commence.

COURT OF GENERAL SESSIONS.

Before the Hon. Recorder Barnard.

The December Term of this Court commenced yesterday, but nothing of importance transpired, election day supervening. On Wednesday the Recorder will deliver his charge to the Grand Jury. The argument in the case of the indicted City officials was postponed till Saturday.

The Knox Perjury Case.

Before Justice Roberts.

The argument in this case was continued yesterday, as the "Tribune" reporter informs us.

Mr. James E. Smith, (counsel, Jr.,) on behalf of the prosecution, contended that Mr. Knox was guilty of perjury in swearing that the three notes of $2,500 each, on which he had borrowed $7,500, had been given in renewal of old notes which he was by agreement to pay only in part. Mr. S. reviewed the authorities on the rule requiring two witnesses to sustain a charge of perjury. He cited Roscoe's Criminal Evidence, p. 823 to 826; The People vs. Burden, 9 Barbour, 468, and Dodge vs. The State, 4 Zabriskie, (N. J.,) p. 455, for the proposition that the testimony of one witness is sufficient to warrant a conviction for perjury, when, in addition thereto, it is proved that the accused has, himself, contradicted the statement charged to be false. Whether the defendant had any set-off against the claim on the notes or not is immaterial, the question being whether the notes had been given on the argument set up in the answer, that they should not be considered due and payable at their maturity. As to the suggestion that the answer was drawn up by mistake, it is entirely unfounded, as the allegations are specific and in detail. In every material particular, said Mr. S., the swearing was false and wilful, and the corrupt motive is apparent. It was also clearly established by the testimony that Mr. Knox had no further claim on Mr. Morris on account of any alterations and repairs alleged to have been made by the former, as the account had been settled in November, 1854, though this is immaterial. It is the magistrate's duty to commit for trial whenever there is probable cause for the prosecution.

James T. Brady, Esq., argued in favor of the motion to discharge the defendant. He referred to the cases reported to lay down the rules for the prosecution, which, he said, had been published by Mr. Knox; and said that after he had been arrested the prisoner had been kept in the custody of an officer. To whomsoever he owed this indulgence, instead of having been considered during the progress of the examination, he should be grateful. Perjury, whenever it is committed, is deliberately committed, and more generally, thank me Mr. Graham had indulged in, should not be allowed, for it has yet to be seen whether this charge detracted the slightest iota from the defendant's character. It has been said that there is no crime more frequently committed in this City than that of perjury. When proper allowances are made for liability to mistakes, for inadvertence and ignorance, it will be seen that it is a crime but rarely committed. The law has thrown safeguards around a man charged with this crime. It must be proved that the accused made a statement under oath in a judicial proceeding relative to a *material* subject involved; that such statement was false and that the accused well knowing it to be false, yet wilfully and maliciously made it. There must be two witnesses to sustain the charge, or what in point of law is equivalent to two witnesses. In illustration of this, Mr. B. referred to a case which occurred in this City a short time ago. A lawyer stated, while on the stand as a witness, that he had no interest in the subject matter of a certain suit. Afterwards it transpired that he had sent a written notice that he had a claim upon property involved. He was indicted, and the Judge held that those papers were only declarations of the accused, which were insufficient testimony, as no amount of declarations could amount to the testimony of a witness. The learned gentlemen on the other side differ as to the points on which the defendant has perjured himself. Mr. B. said this was the first time he had been connected with any prosecution for false swearings in pleadings under the code. It is startling to contemplate the number of prosecutions that would be instituted if for every false oath in such pleadings there could be an indictment. In one of the codes the code anticipates that parties in their pleadings would commit radical errors. Section 160 of the final estate of affairs totally different from that set forth in the pleadings with appropriate remedies. The passage in the answer, set out in the affidavit of Mr. Morris, is of itself wholly insufficient and irrelevant to the issue. There is no falsehood in the answer, and no discrepancy between it and the testimony given by the defendant before the Referee. He analyzed the two statements at length to sustain the proposition. One point, however, is perfectly decisive of the case; not one particle of evidence has been offered to prove that the answer had been read over by Knox, or that he knew the contents or had the means of knowing them. Knox only signed his name at the foot of the jurat, the answer itself being signed by G. W. Stevens, Attorney. This is different from the form of swearing to answers in Chancery under the old practice. As to the charge Mr. Stevens with being responsible for all this, it may be the fault of the code. Wherever the blame lies it is none the less certain that it is fatal to the prosecution. It was for them to have called Mr. Stevens, and not for the defence. Besides it does not appear that Mr. Hutchins was vested with authority to administer an oath. Morris's oath and Russell's affidavit are to be placed against Knox's testimony. The testimony of Knox and Morris balance one another, Russel does not directly, his balance, as, from the circumstances of the case, it must necessarily contradict Knox. The answer already contradicted by the plaintiff, and Russel cannot corroborate it. All that he pretends to be conclusive about, is the fact that he can be conclusive about, is the agreement made between Knox and Morris about alterations in the premises which constitutes in its terms, and particularly any alterations he might have made at any time and with the understanding then had, Knox was entitled to call on Morris for half the expenses. An attempt had been made to show that the agreement was confined to what was done in 1854, but it had failed, for there were but two witnesses to prove that Morris had not made the compact as alleged. Proofs in the case all support the conclusion that Knox had no intention to state an untruth; he must have made an error or been misunderstood. It is very unlikely that a bad man would have been so foolhardy as to deliberately state a falsehood which two witnesses and documents beside, could prove to be such, much less is such an action predicable of Mr. Knox. The decision of the Supreme Court of this State in the case of the People vs. Burden, 9 Barb., 468, that there might be a conviction for perjury, on the admission of the accused that he had committed perjury, is an absurdity. As to the payment of the notes by Knox, that may have been to purchase Morris' peace. Besides, it did not prejudice his claim for half the cost of the repairs. Mr. Brady referred to the fact that though the answer was put in last October, no legal proceedings for perjury had been instituted until the late date, and asked why the delay? It is not the duty of the Justice to commit a man for trial on any that doubtful questions of law may be settled in his court. Police Courts are designed to defend a man from the annoyance and unnecessary expense of protracted litigation, and since the prosecution has omitted proving the falsity of the matter sworn to, and in every other essential particular, it is the duty of the Justice to dismiss the case at the present stage. As for the gratitude the counsel had so eloquently said was due to Mr. Morris from Mr. Knox, the balance when struck would be found to be on the other side. The counsel on both sides handed Justice Osborn their briefs, as he desired to take time to consider his decision.

New-York, Saturday, Dec. 4, 1858.

To the Editor of the New-York Times:

DEAR SIR: Your editorial in this day's paper in reference to the nomination of Mr. Russell T. Hawes, of the "American" nomination as well as that of the "Republican" Party, I deem it but just that the following statement of facts should be made, and I therefore will be exceedingly obliged to you if you will do me the favor to publish it in your columns. It contains the exact truth, as stated by Mr. Hawes himself to me, and I am willing to vouch for its correctness.

Yours, &c.

GEO. W. MORTON.

MONETARY AFFAIRS.

Sales at the Stock Exchange—Dec. 6.

$2,000	Illinois Interest	104⅛	
1,000	Penn. 6s, '70	89⅛	
2,000	do	89⅛	
5,000	do	91½	
10,000	Virginia 6s	90	
5,000	do	92⅛	
10,000	do	92⅛	
1,000	Missouri 6s	79	
10,000	do	80	
10,000	do	80⅛	
5,000	do	80⅜	
1,000	N. Y. Cent. R. 7s	102	
2,000	do	102	
2,000	do	102	
1,000	N. Y. Cen. R. 7s, 1876	102	
2,000	N. Y. & H. R. 1st m. 8s	98	
2,000	N. Y. & H. R. 2d m. 8s	78½	
2,000	N. Y. & H. R. 8s, '78	69	
1,000	Ill. Freeland 8s	81½	
5,000	Chi., St. P. & F. 7s	54	
	Dubuque & Sioux	54	
1,000	L. S. & M. S. 7s	93	
1,000	Milw. & Miss. 1st pf. 8s	73	
1,000	Han. & St. Jos. 8s	64½	
5	Bank of America	112½	
6	Hanover Bank	89¼	
100	Pacific M. Stm. Co	90½	
300	do	90	
50	Am. Guano Co	9¾	
100	do	9¾	
100	do	9¾	
200	do	9¾	
300	do	9¾	
100	Erie Railroad	18	
50	do	19	
100	do	17⅞	
100	do	17⅞	
100	do	17⅞	
100	do	17⅞	
100	do	17⅞	
200	Hudson River R. R.	33¾	
300	do	33¾	
20	Harlem Railroad	19	
100	Harlem R. Preferred	28	

SECOND BOARD.

$2,000	United St. 6s, '63	104⅜	
1,000	Un. St. 6s, '74	104⅜	
5,000	Tenn. 6s, '90	94⅛	
5,000	do	94⅛	
11,000	Mo. 6s	82⅜	
1,000	do	82⅜	
10,000	do	82⅜	
10,000	N. Car. 6s	97½	
5,000	Erie R. 2d mt. 6s	88	
15,000	La Cr. & M. L. G. R.	20⅜	
5,000	do	20⅜	
100	Chi. & R. I. R. R.	62⅜	
5	Pacific M. St. Co.	89	
150	do	89	
100	do	89	
10	do	89⅜	
100	do	89⅜	
50	do	89¾	
50	do	89¾	
100	Erie R. R.	17⅞	
100	Panama R. R.	119¾	

REGULAR SALES BY AUCTION.

$6,000	Mil. City 7s	70	
2,000	Memphis City 6s	80	
5,000	C. & R. I. R. 7s	93	
	500 New-York City 6s	93¾	
1,000	do	91	
2,000	Pike Co. 10s	60	
8,000	Rac. & Mis. R. R. 8s	62	
1,000	G. W. M. I. Sp. '57	60	
1,000	do	'58	60
5,000	B., N. Y. & E. R. 1st	71	
2,000	C. & M. R. R. 1st m.	78¾	
2,000	C., R. & D. R. R. 8s	74	
5,000	Han'r Co., Ill., 8s	70	
1,000	Chi. Gas	140	
1,000	M. & B. R. 2d m. 8s	36	
200	C., St. P. & F. 1st R. R	5	
100	N. Y. Cen. Stage Co.	35	
50	Nat. Stage Co.	49	
100	Prismatic Tarn. Co.	5	
35	Chatham Bank	80¾	
30	M. S. & N. I. R. R.	20⅜	
10	Pacific M. S. Co.	91	
10	Am. Guano Co.	9¾	
1,334	Am. Min'g Mill Co.	1¾	
25	Shoe & Leather Bk.	114	
20	Bk. of the R. of N. Y.	102¾	
10	Am. Ex. Bank	105¾	
15	Col. Mar. Ins. Co.	100	
40	Humboldt F. Ins. Co.	100	
10	Gal. & Chi. R. R.	73	
10	Gt. N. Mail	142	
10	Gt. N., M. & U. R. R.	6	

Monday, Dec. 6—P. M.

The Official Averages of the Banks in the City of New-York for the week past, ending Saturday, Dec. 4—the particulars of which are advertised by each Bank, separately, in another page of this paper—present, in the aggregate, the following changes from the previous weekly statement of Nov. 27:

Increase in Loans	$753,626
Increase in Specie	249,626
Increase in Circulation	185,060
Increase in Gross Deposits	755,101
Increase in Undrawn Deposits	824,104

Including the Clearing-House operations of the week, which show the interexchanges between the Banks, and including also the Sub-Treasury statement of Saturday, the following is the general comparison with the previous exhibit and also with the movement this time last season:

COMPARATIVE RECAPITULATION.

	Dec. 6, 1857.	Dec. 4, 1858.	Nov 27, 1858.
Capital	$63,519,000	$67,734,755	$67,734,755
Loans	96,323,667	126,338,326	125,585,696
Specie	20,060,832	27,407,727	27,157,731
Circulation	6,555,000	7,638,517	7,552,457
Gross Deposits	78,402,065	100,236,454	108,583,233
Exchanged	14,047,000	19,797,168	19,986,258
Undrawn	64,444,275	80,541,160	88,716,975
In Sub-Treasury	3,906,412	6,248,591	6,786,780

The Bank Averages, as anticipated in our review of the movement of the past week, this morning, show a moderate increase in all departments. The changes are consistent with each other, and with the further accumulation of Deposits at this point. While the addition to the Loan column is by no means general, some of the large Banks have been favored with a good offering of prime short acceptances for Southern account. The Money Market opens, for the present week, quiet in tone and easy in rates. The Foreign Exchanges for Wednesday's packet thus far indicate no important movement. Prime Bills are in comparatively few hands, and are held for 109¼@109½ per cent.

Some further heavy sales of *short* Stocks were made at the early session of the Brokers to-day on *political* grounds. One commission firm appeared to have orders against the Share list, indiscriminately, and sold about 7,000 shares. This induced some of the speculative jobbers at the Board to follow in the same direction. There were good buyers, however, ready to avail of the opportunity to add to the *Bull* account, and prices, as compared with the closing of Saturday, were at no time more than ¼@¼ per cent lower, and this difference was recovered immediately after the adjournment. With *two o'clock* came the President's Message, and no *war*, and nothing in the treatment of our Foreign relations indicating a different temper or the avowal of a more belligerent purpose than was generally looked for. It is difficult, indeed, to conceive why the contrary calculation should have been indulged by the knowing ones who had seen or heard the Message read or interpreted, to the extent of selling *short* three or four millions of stock. At the Second Board the tone was, of course, strongly upward, although the prominent *Bear* sellers very prudently refrained from manifesting their disappointment. The rise in prices from the morning's sales was from ¼ to 1¼ per cent. New York Central, before the final close, brought 84@84¼; Rock Island 62¾@63; Galena 73¼@74; Reading 51¾@51¾, and others in proportion. In State Stocks, at the First Board, some considerable contracts were made in Missouris and Virginias. In reference to Missouris, several rumors were put in circulation as to a fresh supply from the West—among others that the rise of Exchange at Chicago on New-York had induced some of the free bankers in Illinois to sell in anticipation of the withdrawal of part of their circulation secured with the State Auditor by the deposit of Missouri Bonds. Another, that the State of Missouri herself will soon be a large seller to meet the January interest. However these things may be—though we have no reason to believe that either is true—there is certainly no question as to the prompt payment of every dollar of the January interest due in New-York at the Bank of Commerce. The stock in the afternoon was in request at 88@88¼ per cent. The general market closed firm after the printed list.

The Sub-Treasury disbursed to-day $199,547 in excess of its receipts, reducing the balance in New-York to $6,145,544.

LOANS TO BROKERS—QUARTERLY RETURNS.

Banks.	Amount.	Banks.	Amount.
Union	$671,350	Merchants'	$753,900
State	5,000	Shoe and Leather	1,260,750
Leather	71,180	Market	10,500
Dry Dock	94,200	Market	23,000
Manhattan	63,933	Mechanics'	85,500
Seventh Ward	966,800	Merchants' Ex.	15,000
Am. Exchange	330,456	Metropolitan	93,000
Artisans'	13,373	N. Y. Exchange	10,238
Atlantic	15,000	Ocean	23,175
Commerce	70,500	Oriental	45,000
Commonwealth	7,477	Park	142,500
North America	3,375	People's	10,000
Republic	195,105	Phenix	98,000
Butchers'	1,000	Importers'	97,532
Citizens'	76,585	Union	119,373
City	63,900	Corn Exchange	73,100
Continental	89,209	21 Banks	Nil.
Total, Sept. 25			$4,915,142

We compile the above from the verified returns made by each Bank in this City to the Bank Department, as on Sept. 25, 1858, the close of the last Bank quarter. We do so in order to afford our neighbor of the *Tribune*, who hastily impeaches the integrity of these returns in the following paragraph, the opportunity either to revise his opinion or else to give it plausibility, by pointing out the particular Bank or Banks in the list which he has reason to believe are in the practice of giving a little latitude to old law of the land in reporting and swearing to their true condition. The Tribune charges:

"The comparatively small amount under the head of 'Loans to Brokers' shows that bank managers take a safe interest in during the abstinence of the terms. The expression usually loaned to 'Brokers,' as that name was understood by the Legislature which passed the Bank Act is greatly more to-day than *four millions*."

If for years past the grossest misapprehension has prevailed on the Street, where there is always an interest to magnify as well as to depreciate, in reference to the extent of Bank Loans on demand to Brokers. But this will hardly excuse our neighbor in throwing discredit upon the official data placed before the country from the Bank Department, unless he *knows* more than he has yet chosen to tell.

The following is the business of the Michigan Southern Road for November, 1857 and 1858:

	1858.	1857.
From Passengers	$77,994 37	$101,059 56
Freight	74,201 96	71,059 49
Mails	4,495 02	5,965 27
Express and miscellaneous	18,441 42	5,425 47
Total	$174,023 30	$183,745 47
Expense	99,087 73	137,401 54
Net profits	$74,935 56	$45,343 93

The earnings of the Galena and Chicago Union Railroad Company for November were:

Freight	$97,999 28
Passengers	36,756 82
Mails, &c.	2,000 00
Total	$107,758 10

OFFICIAL BANK STATEMENTS.

WEEKLY AVERAGES OF THE NEW-YORK CITY BANKS.

Banks.	Loans. Dec. 4.	Loans. Nov. 27.	Specie. Dec. 4.	Specie. Nov. 27.
Artisans' Bank	$979,813	$987,433	$127,763	$119,223
Am. Exchange Bk	3,699,783	3,668,942	1,057,910	1,056,590
Atlantic Bank	365,139	374,910	97,249	94,341
Bk. of America	5,755,846	5,830,581	2,457,867	2,462,868
Bk. of Commerce	13,997,780	13,841,961	2,691,378	3,017,486
Broadway Bank	2,190,633	2,122,716	1,228,836	1,277,296
Bull's Head Bank	325,162	324,495	103,263	104,193
Butchers' & Drov. Bk.	276,215	1,174,814	99,672	1,076,265
Chatham Bank	337,012	320,343	290,761	316,940
Chemical Bank	2,412,413	2,388,938	2,216,231	2,404,108
Citizens' Bank	576,519	585,305	505,894	506,767
City Bank	1,934,486	1,922,793	1,518,406	1,397,497
Continental Bank	3,503,289	3,404,969	2,664,913	2,720,019
Corn Exch. Bank	1,990,930	1,926,931	1,052,961	918,420
Commercial Bank	157,218	156,158	69,672	70,672
Fulton Bank	1,655,850	1,663,421	1,452,131	1,503,270
Greenwich Bank	585,327	611,701	544,247	574,176
Grocers' Bank	258,069	226,331	258,070	226,331
Hanover Bank	879,563	868,936	638,063	654,312
Imp. & Traders' Bk	1,849,470	1,826,490	1,311,798	1,305,128
Irving Bank	719,063	686,673	638,096	626,540
Leather Man. Bk.	1,240,844	1,236,434	1,135,134	1,139,005
Manhattan Co.	3,765,425	3,903,369	3,130,456	3,226,370
Marine Bank	677,384	726,383	473,246	485,456
Market Bank	1,308,986	1,309,429	1,041,398	1,069,486
Mechanics' Bank	3,452,606	3,460,326	2,731,203	2,802,787
Mech. B'g Assn.	230,038	231,433	230,037	231,433
Mech. & Trad. Bk.	676,869	677,269	637,393	636,547
Mercantile Bank	2,116,672	2,178,662	1,923,874	1,941,973
Merchants' Bank	6,414,087	6,371,006	6,263,049	5,106,066
Merch. Exch. Bk.	1,158,642	1,192,103	989,220	931,474
Metropolitan Bk.	5,777,630	5,902,283	4,775,376	4,760,340
Nassau Bank	1,069,870	1,079,100	930,483	949,397
National Bank	1,183,078	1,143,991	943,836	930,101
N. Y. County Bk.	324,261	324,176	254,045	251,178
N. Y. Dry Dock Co	179,502	184,657	179,502	184,670
N. Y. Exch. Bank	260,596	311,440	208,609	311,440
North River Bank	300,132	299,817	208,152	209,519
Ocean Bank	1,438,825	1,386,814	1,158,289	1,096,327
Oriental Bank	360,365	370,727	333,491	342,468
Pacific Bank	861,926	832,899	769,367	842,681
Park Bank	3,663,243	3,624,663	3,325,940	3,268,928
People's Bank	377,663	362,139	326,946	316,743
Phenix Bank	2,247,711	2,224,886	2,306,510	2,289,380
St. Nicholas Bank	919,122	870,149	776,962	747,738
Seventh Ward Bk	357,816	378,041	743,903	745,286
Shoe & Leath. Bk	5,269,142	4,981,778	4,966,763	3,919,653
Tradesmen's Bank	764,625	775,235	672,709	692,729
Union Bank	2,329,470	2,37,690	1,927,171	1,915,149
Total	109,426,824	109,568,283	89,541,169	86,716,945
Increase		$755,101	Increase	$824,104

BANKING AND FINANCIAL ADVERTISEMENTS

COLLECTIONS MADE on all parts of the Northwest, and remitted for on day of payment. E. K. WILLARD & YOUNG, Bankers, Chicago, Ill.

SIGHT AND TIME BILLS, on all the Southern cities, purchased by DUNCAN, SHERMAN & CO.—Sept. 24, 1858.

Real Estate.—Monday, Dec. 6.

No public sales to-day.

There has been, for a few days past, a current street report of the sale of 100 lots above Yorkville. As we understand it, on or about the year 1850 Mr. Gale bought the lots hereinafter-mentioned for $60 per lot—total, say $6,000. He sold them last week to Francis P. Fusnald for $51,000. Mr. Furnald immediately turned round and resold them for $67,000, being an advance of $16,000. The lots were located as follows: 42 lots in a solid body, commencing on the west side of Fourth-avenue, between Ninety-seventh and Ninety-eighth streets; 7 lots and a gore on the south side of One Hundred and First-street, 155 feet west of the Fourth-avenue; 25 lots lying together on the west side of the same avenue, between One Hundred and First and One Hundred and Second streets; and 20 lots in a compact form on the west side of the same avenue, between One Hundred and Second and One Hundred and Third streets. Those who are familiar with this part of the city need not be told that it has hitherto been regarded as the most inviting location to be found.

Messrs. Rayner & Blakewell report the sale of four lots on the north side of Sixty-third-street, 150 feet east of Fifth-avenue, for $2,000 per lot.

Mr. John Patterson informs us that he has sold to Mr. Abraham Michaelbacher, for the sum of $31,500, twenty-five lots, Nos. 6 to 30, on the north side of Seventy-third-street, between Third and Fourth avenues.

GENERAL MARKETS.

New-York, Monday, Dec. 6, 1858—6 P. M.

The reported receipts of the leading kinds of Produce, since noon of yesterday, have been as follows:

	Hudson River R. R.	Erie R. R.	Southern boats.	Total.
Ashes, bbls	69	23		76
Flour, bbls	12,790	3,165	2,276	18,247
Wheat, bushels	7,500			7,500
Corn, bushels	3,500			3,500
Barley, bushels	15,659			15,659
Oats, bushels	3,000			3,000
Provisions, pkgs	4,630	1,820	1,491	8,147
Whisky, bbls	416	206		622

ASHES—Are heavy and languid. Pots, $5 50; Pearls, $5 75 @ 100 lbs.

COFFEE—Sales to-day 50 bags Java at 14¼c.; 647 bags Rio at 9c.@11¾c.; and 23 bags St. Domingo at 9½c. @ lb. Receipts of Rio during the week, 2,594 bags. Stock of Rio in first hands this evening, 16,700 bags.

COTTON—Sales have been confined to 500 bales at irregular prices.

NEW-YORK GAS CONSUMPTION.

	Thursd.	Fridts.	Mdds.	N. O. & Tex.
Ordinary, W lb	10¾	10¾	10¾	10¾
Middling, W lb	12¾	12¾	13¼	12¾
Middling Fair, W lb	13¾	13¾	13	13¼

FLOUR AND MEAL—The market exhibits no really new feature for State and Western Flour. The demand from the home trade, for desirable lots, is fair. Prices of such lots are sustained; other kinds are depressed. Sales 9,750 bbls.

Unsound State, W bbl	$ 40@ 4 10
Standard Superfine State	4 20@ 4 45
Standard Extra State	4 75@ 5 00
Superfine Western	4 25@ 4 60
Fancy Ohio	4 80@ 4 90
Extra Indiana and Michigan	4 65@ 5 00
Extra Ohio	5 00@ 5 75
Fancy Genesee	5 25@ 5 50
Extra Genesee	5 30@ 5 75
Low to very choice Extra Missouri	5 75@ 7 75

Canadian continues in limited demand at former rates; sales 200 bbls. Rye Flour is dull; sales 100 bbls. at $4 20@4 40 for extra and fancy. Corn meal is dull; sales 200 bbls. at $4 20@4 40 for extra and fancy, and $4 45@4 55 for low fancy to very choice extra brands W bbl. Rye Flour is selling in lots at $3 25@4 10 for fine to superfine, W bbl. Corn Meal is in fair demand at $3 50@3 60 for Brandywine, W bbl.

GRAIN—Wheat opened very quietly, prices of the previous day, but closed firmer; sales, however, were to a small extent, of Southern, including mixed at $1 30 and poor red, at $1 70 W bushel. Corn is in good request, partly on speculation. The firmness of holders, however, leads to restrict business; sales 38,000 bushels, at 70c.@70½c for mixed Western; 75c.@76c. for mixed new and old yellow Jersey; 76c. for white Southern, and 96c.@98c. for old do. do. W bushel. Rye is in demand at uniform rates; sales 2,000 bush. prime Northern at 78c. W bushel. Barley is quiet at previous figures; 1,000 bushels State brought 79c. Oats are in fair request at uniform prices; included in the sales were 4,500 bushels Southern at 45c. and a lot of State at 46c. W bushel. We quote Canada at 32½c.@35½c.; Western, 31c.@32c.; State, 47c.@ 50c.; Jersey and Pennsylvania, 45c.@48c. W bushel.

PROVISIONS—Pork is in fair demand and is advancing. Sales 1,750 bbls., in lots, at $17 00@$17 62 for old Mess; $16 25@$16 50 for new Mess; $18 75 for unInspected do.; and $16 25@$14 00 for Prime; also, $16 50 for Mess, deliverable at the option of the seller, in March and April, W bbl. Pickled Meats are in demand, including Hams at 9¼c.@9¾c.; Sides, 6¼c.; and Shoulders at 6¼c., W lb. Beefs continues inactive, at old rates; 100 boxes clear smoked Middles were sold at 10c. W lb. Lard is less active at drooping rates; sales, to-day, 450 tcs. and bbls. at 11¼c.@11¾c. W lb. Beef continues abundant and languid; sales 500 bbls., in lots, at $6 75@$10 75 for repacked Western Mess; $11@$13 for extra do.; $7 62½@$9 for Country Mess; $9@$9 50 for do., Prime, W bbl.; Prime Mess Beef, $16@$19 W bbl. Beef Hams, $13 50@$15 50 W bbl. Butter continues in demand, at 12c.@19c. for Ohio; 17c.@22c. for common to good State, and 23c.@26c. for prime to choice State, W lb. Cheese is selling at 8½c.@9½c. W lb.

FREIGHTS—For Liverpool and London the engagements were unimportant. For Glasgow, there were taken 1,000 bbls. Flour at 5s. 6d. For Bremen, 100 bales Cotton at ⅝c. W lb.; and 400 bbls. Resin at 3s.

Markets by Telegraph.

Buffalo, Monday, Dec. 6—6 P. M.

Flour in better demand to-day. No change in quotations; sales 800 bbls., at $4 87½@$5 for extra Wisconsin; $5 25@$5 50 for good to choice extra Indiana, Ohio, Michigan and Canada; $3 75 for double extra. Wheat in fair demand for milling, and market steady; sales 1,200 bush. Chicago Spring at 72c.; 1,500 bush. white Wabash at $1 13; 3,500 bush. prime white *Indiana at $1 30; and 1,500 bushels Michigan at $1 24.* Corn quiet; demand moderate; sales 1,200 bushels at 66c. for Winter, with 3c. storage added @ bushel if left for 24 hours. No sales of Barley or Rye. Oats firm at 32c. Whisky nominal at 23c. Dressed Hogs firmer; sales at $6 50@$6 60 @ cwt. *Receipts for the last 48 hours*—8,616 bbls. Flour; 60,023 bushels of Wheat.

New-Orleans, Friday, Dec. 3.

The sales of Cotton to-day were 8,000 bales at 11¾c.@11¾c. for Middling. Sales of the week 56,000 bales; receipts of the week 60,000 bales, against 66,500 in the corresponding week last year. Exports of the week 41,000 bales, against 30,000 in the same week last year. Total exports to date, 360,000 bales. Increased receipts at this port, 209,400 bales; do. at all the ports, 362,000 bales. Stock, 315,000 bales. Fair Sugar 6c. Molasses 29c. Flour $5. Lard in tcs. has declined ¼c.; sales at 11c. Hay—Eastern $18; New-York $16 50. Corn in firm; sales of the week 14,000 bags; imports 19,000 bags; stock 8,500 bags, against 126,000 last year. Sterling Exchange 106@106¼. Exchange on New-York sight ¾.

Cincinnati, Monday, Dec. 6.

Whisky declined to 22c., closing dull. Hogs active; sales, 10,000 at $6 20@$7 20—the latter rate for those averaging 250 lbs., and $6 75@$6 85 for those averaging 200 lbs. *Receipts for the last forty-eight hours*—14,500. Mess Pork held at $17 50@$18, the latter for future delivery.

Philadelphia, Monday, Dec. 6.

Flour quiet; superfine, $5 12½. Wheat firm; sales of 2,000 bushels Red, at $1 26@$1 28; White, at $1 25@$1 40. Corn declined; sales of 5,000 bushels *new Yellow, 60c.@66c.; old do., 83c.@85c.* Provisions have an advancing tendency; Mess Pork, $16 25; Lard, 11c.@12c. Whisky firm; Ohio, 22c.

Baltimore, Monday, Dec. 6.

Flour dull and unchanged. Wheat advanced 3c.@5c. Corn unchanged. Provisions steady. Whisky quiet.

Savannah, Friday, Dec. 3.

The sales of Cotton to-day were 950 bales. Sales of the week, 7,500 bales; receipts of the week, 15,500 bales; stock, 83,500 bales.

Movements of Ocean Steamers.

FOR EUROPE.

Name.	Leaves.	For.	Date.
Africa	New-York	Liverpool	Dec. 8
Arago	New-York	Liverpool	Dec. 11
Hammonia	New-York	Southampton	Dec. 11
Europa	Boston	Liverpool	Dec. 18
City of Washing'n	New-York	Liverpool	Dec. 18
Bremen	New-York	Bremen	Dec. 18
Persia	New-York	Liverpool	Dec. 22
Edinburg	New-York	Glasgow	Dec. 22

FROM EUROPE.

Edinburg	Glasgow	New York	Nov. 24
City of Washing'n	Liverpool	New-York	Nov. 24
Persia	Liverpool	New-York	Nov. 27
Arctic	Liverpool	New-York	Nov. 27
Saxonia	Southampton	New-York	Dec. 4
Arabia	Liverpool	Boston	Dec. 4
Weser	Bremen	New-York	Dec. 4

FOR THE PACIFIC COAST.

Quaker City	New-Orleans	Minatitlan	Dec. 12

FOR MEXICO.

Tennessee	New-Orleans	Vera Cruz	Dec. 15

FOR HAVANA.

Cahawba	New-York	Havana	Dec. 13
Isabel	Charleston	Havana	Dec. 13

Passengers Arrived.

In steamship Bremen, from Bremen—Wm. Gould, Heinrich Boking, Geo. Landry, Marie Landry, F. Hassenkarugo, Adolph Hassenkarugo, William Scrumpy, Marie Zeller, Marie Krebbeit, Otto Krebbeit, Emma Zeller, Mary Zeller, Ferdinand Zeller, Geo.